

Message Text

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PAGE 01 VIENTI 06443 200503Z

13

ACTION DPW-01

INFO OCT-01 EUR-25 EA-11 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AID-20 OMB-01 NIC-01 DRC-01 IO-14 /150 W

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R 191011Z AUG 74

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC 442

INFO CINCPAC HONOLULU HI

CDR JCRC NKP

AMEMBASSY BANGKOK

AMEMBASSY PARIS

AMEMBASSY SAIGON

AMEMBASSY PHNOM PENH

C O N F I D E N T I A L VIENTIANE 6443

E.O. 11652: GDS

TAGS: MOPS, PFOR, TH, VA, LA

SUBJ: AGREEMENT ON EXCHANGE OF PRISONERS AND
INFORMATION ON MIAS

REF: (A) STATE 171174

(B) VIENTIANE A-95

1. THE 11 JULY AGREEMENT DEVELOPED BY THE MILITARY
AFFAIRS COMMITTEE OF THE JOINT CENTRAL COMMISSION TO
IMPLEMENT THE AGREEMENT (JCCIA) DOES NOT REPRESENT
SUBSTANTIVE PROGRESS NOR DOES IT, IN OUR OPINION, PROVIDE
AN OPPORTUNITY FOR NEW INITIATIVES. VIENTIANE SIDE
MEMBER ON 9 AUGUST INDICATED TO DAO OFFICER THAT THE
AGREEMENT WAS AN EFFORT "TO GET THE PAPERWORK GATHERING
STARTED." VIENTIANE SIDE MEMBERS AND PARTICULARLY
PATHET LAO CONTINUE TO MAINTAIN THAT OTHER "HIGHER
PRIORITY" MATTERS, SUCH AS DEMARCATION OF TWO ZONES
AND WITHDRAWAL OF FOREIGN TROOPS, MUST BE RESOLVED BEFORE
REGULATIONS ON PW/MIAS CAN BE IMPLEMENTED.

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PAGE 02 VIENTI 06443 200503Z

2. THE MISSION HAS URGED FAR GENERAL STAFF, OVER A PERIOD OF TIME, TO PREPARE LISTS REQUIRED BY ARTICLE XVIII OF PROTOCOL AND 11 JULY AGREEMENT (REF B). WE HAVE PROVIDED B/GEN. THAO LY, FAR G2, WITH COPIES OF AGREEMENT, POINTING OUT WHAT INFORMATION IS REQUIRED. B/GEN. ETAM, DC/S FOR PSYCHOLOGICAL WARFARE AND FORMER FAR G2, HAS BEEN ADVISED OF REQUIREMENTS IN NEW AGREEMENT. FURTHER, HE WAS REMINDED OF PROPAGANDA VALUE THAT COULD ACCRUE TO PATHET LAO SHOULD FAR FAIL TO PROVIDE REQUIRED LISTS. THIS STATEMENT APPARENTLY STRUCK A SENSITIVE NERVE AND IT APPEARS THAT GEN. ETAM WILL LEND HIS SUPPORT IN URGING THAT LISTS BE COMPLETED. EFFORTS ARE CONTINUING TO INSURE THAT M/GEN. PHASOUK, FAR CHIEF OF STAFF AND OTHER APPROPRIATE STAFF MEMBERS ARE INFORMED ON THIS MATTER.

3. JCRC HAS EXAMINED DATA REQUIREMENTS CONTAINED IN ARTICLE FOUR OF AGREEMENT AND CAN PROVIDE NECESSARY LISTS USING NEW FORMAT. IN THE PAST, WE HAVE PROVIDED MIA/BNR LISTS TO THE JCCIA AND ICRC AND INTEND TO FURNISH NEW LISTS IN THE DESIRED FORMAT TO BOTH ORGANIZATIONS, EMPHASIZING OUR CONTINUING INTEREST.

4. ARTICLE V OF THE AGREEMENT TREATS SUBJECT OF EXHUMATION FOR FIRST TIME, BUT PRECISE ROLE OF "MOBILE UNITS" IN RECOVERY OF REMAINS IS NOT CLEAR. THE LATTER ITEM IS A SUBJECT FOR CONTINUING DISCUSSIONS BETWEEN US AND JCCIA REPS.

5. WE SEE RECOVERY AND IDENTIFICATION OF U.S. REMAINS AS THREE-STEP INTERRELATED PROCESS: AIRCRAFT IDENTIFICATION, EXHUMATION, AND POSITIVE IDENTIFICATION OF INDIVIDUAL REMAINS. IN MOST INSTANCES THESE THREE ACTIONS ARE SEQUENTIALLY DEPENDENT. THE RESTRICTION ON THE NUMBER OF U.S. MILITARY IN LAOS CONTAINED IN THE VIENTIANE ACCORDS WILL, IN ALL PROBABILITY, CONTINUE TO REMAIN IN EFFECT AND WOULD AT BEST LIMIT USE OF UNILATERAL U.S. RECOVERY TEAMS FOR AIRCRAFT IDENTIFICATION AND EXHUMATION. MOREOVER, LPF OPPOSITION TO OUTSIDERS SNOOPING IN THEIR ZONE MAKES USE OF SUCH TEAMS HIGHLY UNLIKELY. PERSONNEL, CONFIDENTIAL

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PAGE 03 VIENTI 06443 200503Z

OTHER THAN U.S., CAN BE TRAINED IN THESE FIRST TWO AREAS, BUT THE LENGTH AND DEPTH OF TRAINING WOULD NECESSARILY VARY, DEPENDING ON PERSONNEL USED AND THEIR LEVEL OF EDUCATION. FOLLOWING EXHUMATION, POSITIVE IDENTIFICATION OF INDIVIDUAL U.S. REMAINS, MEETING CURRENT LEGAL CRITERIA, IN MOST CASES CAN ONLY BE ACCOMPLISHED BY SKILLED TECHNICIANS SUCH AS THOSE AT THE CENTRAL IDENTIFICATION LABORATORY, THAILAND. IN VIEW OF RESTRICTIONS IMPOSED BY THE ACCORDS

AND PL ATTITUDE WE HAVE DEVELOPED A NUMBER OF OPTIONS FOR

REVIEW WITH JCRC AND SUBSEQUENT DISCUSSIONS WITH JCCIA:

- A. U.S. CRASH SITE AND RECOVERY TECHNICIANS WITH
INDIGENOUS GUIDES AND/OR GUARDS, OR WITH
"MOBILE UNITS".
- B. U.S.-TRAINED INDIGENOUS OR NEUTRAL PARTY
PERSONNEL EXCLUSIVELY.
- C. SOLE MANAGEMENT AND CONTROL OF RECOVERY EFFORTS
GIVEN TO AN INTERNATIONAL BODY (E.G. RED CROSS)
WITH U.S. PROVIDING FINANCIAL SUPPORT.
- D. PERMUTATIONS OF ABOVE OPTIONS.

PRIOR TO DISCUSSION OF ALTERNATIVES WITH JCCIA IT IS
NECESSARY THAT TECHNICAL ASPECTS OF AIRCRAFT IDENTIFICATION
AND EXHUMATION BE CLEARLY UNDERSTOOD BY JCCIA REPS. WE
INTEND TO DISCUSS THESE LAHGEIHMATTERS WITH VIENTIANE
SIDE JCCIA MEMBERS AND ICRC DELEGATE TO ESTABLISH COMMON
REFINEMENTS TO ALTERNATIVES CITED ABOVE, IF NECESSARY.

6. WE EXPECT PROGRESS REGARDING FOREGOING ACTIONS WILL
BE A SLOW AND LABORIOUS PROCESS. MISSION WILL ADVISE
FURTHER ON PREPARATION OF FAR LISTS, ROLE AND MOBILE UNITS,"
AND ARTICLE V ALTERNATIVES.
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